

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

BRADLEY THOMAS, *et al.*, )  
                                  )  
Plaintiffs,                 )  
                                  )  
v.                             )                           CASE NO. 1:06-CV-165-MEF  
                                  )  
NCB MANAGEMENT SERVICES, INC., )  
*et al.*,                     )  
                                  )  
Defendants.                 )

**ORDER ON MOTIONS AND PROTECTIVE ORDER**

Upon referral of this case to the undersigned for discovery issues, it is for good cause

**ORDERED** Plaintiffs' *Motion to Compel* (Doc. 41, filed April 25, 2007) is **DENIED**.

It is further **ORDERED** that, as requested in Number 5 of Plaintiffs' Rule 30(b)(5) Request for Production of Documents<sup>1</sup>, Defendant shall produce the most recent, completed tax returns and any documents filed with relevant Alabama state agencies which demonstrate Defendant is qualified to do business in the state of Alabama.

Additionally, the Court enters a **PROTECTIVE ORDER** which governs all parties and interested non-parties whereby the above-referenced documents shall be designated confidential. Such confidential documents and information shall be used solely for the purpose of this action, shall not be used for any other business, competitive or other purpose,

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<sup>1</sup> See Doc. 47 for Plaintiffs' "Rule 30(b)(5) and 30(b)(6) Notice of Deposition." for listing of documents requested.

and shall not be disclosed to any other person or third party other than:

- a. Counsel for the parties in the above-styled action, including employees of such counsel to the extent necessary to render professional services in the above-entitled action;
- b. The parties in the above-styled action;
- c. The Court and persons employed by the Court working on this litigation;
- d. Court reporters at the proceedings in this action;
- e. Experts or consultants retained or consulted by the parties; and
- f. Deponents, trial witnesses and potential deposition witnesses

Prior to making such disclosure of any confidential documents or information, the person to whom disclosure will be made must be provided with a copy of this Order and must agree to be bound by it. Further, upon request by the producing party, within 90 (ninety) days of the conclusion of this matter as to all parties, and upon written request of a party all confidential information of such party and all copies thereof shall be returned to counsel for that party or, if that party so requests, shall be destroyed and an affidavit prepared and executed certifying to such destruction and mailed to the party producing that confidential information.

Lastly, based on statements made by both sides that all other matters have been resolved without requiring the Court's involvement, *Plaintiffs' Motion to Strike* (Doc. 47, filed May 8, 2007) and the remainder of *Defendants' Objection to and Motion to Quash Plaintiffs' Rule 30(b)(5) Request for Production of Documents* (Doc. 44) are **DENIED as**

**moot.**

DONE this 9th day of May, 2007.

/s/Terry F. Moorer  
TERRY F. MOORER  
UNITED STATES MAGISTRATE JUDGE